

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 15,098

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Appeal of)

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INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare finding her eligible for ANFC as of July 9, 1997, nineteen days after the date of her application. The issue is whether the effective date of the petitioner's eligibility as determined by the Department is in accord with the pertinent regulations.

FINDINGS OF FACT

The facts are not in dispute. The petitioner applied for ANFC on June 20, 1997. Upon filling out and submitting her application the Department scheduled her for an intake interview on June 30. Following that interview the Department found her eligible on July 9, 1997. On that date it sent the petitioner a notice, with a check for \$449, stating that she was eligible for \$449 in ANFC for July as a prorated portion of a monthly benefit of \$611. The petitioner feels her ANFC should have been retroactive to the date of her application.

ORDER

The Department's decision is affirmed.

REASONS

W.A.M. § 2226.1 includes the following provisions:

ANFC shall be granted in the amount specified by Department regulations and continue until changed. Provided all eligibility factors are met, money payments are granted effective the date of authorization, when the worker actually approves an eligibility decision, or 30 days from (and including) the date of application, whichever is earlier. . . .

In this case, the Department found the petitioner eligible for ANFC nineteen calendar days (and twelve working days) after the date she applied. Inasmuch as this time frame is clearly within the limits of the above regulation, and does not appear to be otherwise unreasonable, the Department's decision must be affirmed. 3 V.S.A. § 3091(d) and Fair Hearing Rule No. 17.

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